NOTIFICATION.

No. L.D. 522—Legis. 4-50-19, dated Bangalore 17—18th May 1949. 162

Ordered that the accompanying Government Premises (Eviction) Rules, 1950 and Ministry of Defence Notification No. 13/E., dated the 1st May 1950, published in the *Gazette of India*, dated the 1st May 1950, be republished in the *Mysore Gazette*, for General information.

By Order of His Highness the Maharaja,

B. S. PUTTASWAMY,
Legal Remembrancer and
Secretary to Government,
Law Department.

MINISTRY OF DEFENCE.

New Delhi, the 1st May 1950.

No. 12/E.—In exercise of the powers conferred by section 10 of the Government Premises (Eviction) Act, 1950 (XXVII of 1950), the Central Government is pleased to make the following rules, namely :—

1. *Short title.*—These rules may be called the Government Premises (Eviction) Rules, 1950.

2. *Definitions.*—In these rules,—

(*a*) "Act" means the Government Premises (Eviction) Act, 1950 (XXVII of 1950);

(*b*) "form" means a form appended to these rules.

3. *Form and manner of service of notice.*—(1) A notice issued under section 3 of the Act shall be in Form A and a notice issued under section 4 of the Act shall be in Form B

(2). Every such notice shall be served by post or by delivering a copy of it to the person concerned or to an adult member of his family residing with him in the same premises or, if there is no such person, by a copy of the notice being affixed on some conspicuous part of the Government premises in unauthorised occupation.

4. *Possession not to be taken after sunset or sunrise.*—No such Government premises shall for the purpose of taking possession thereof be entered into after sunset or before sunrise.

5. *Assessment of damages.*—(1) The damages under section 4 of the Act shall be assessed after the person from whom such damages are to be recovered is given a reasonable opportunity of being heard in the matter.

2) In assessing such damages the competent authority shall take into consideration the following matters, namely :—

(*a*) the purpose and the period for which the Government premises were in unauthorised occupation;

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(*b*) the nature and the quality of the accommodation available in such premises;

(*c*) the rent that would have been realised if the premises had been let on rent for the period of unauthorised occupation;

(*d*) any injury done to the premises during the period of unauthorised occupation;

(*e*) any other matter which, in the opinion of the competent authority, is relevant for the purpose of assessing the damages.

6. *Manner and procedure to be followed in appeals.*—(1) An appeal under section 5 of the Act shall be addressed to the Secretary to the Government of India in the Ministry of Defence.

(2) Every such appeal shall contain the grounds of appeal and shall be accompanied by a copy of the order against which the appeal is preferred.

FORM A.

(Form of notice under section 3)

To

.....

Whereas I, the undersigned, am satisfied that you are in possession of the Government premises described in the Schedule in contravention of the provisions of section 3 of the Government Premises (Eviction) Act, 1950 (XXVII of 1950), I hereby call upon you to vacate the said premises within fifteen days from the date of the service of this notice.

I am to warn you that in case you fail to vacate the said premises within the period specified above, you will be liable to be forcibly evicted therefrom.

Date *Competent authority.*

SCHEDULE.

(Description of Government premises).

FORM B. 104

(Form of notice for payment of damages)

To

.....

Whereas in exercise of the powers conferred upon me by section 4 of the Government Premises (Eviction) Act, 1950 (XXVII of 1950), I have assessed Rs. as damages payable by you in respect of the premises described in the Schedule, I hereby call upon you to pay the said amount within days from the date of the service of this notice, failing which the said amount shall be recovered from you as arrears of land revenue:

Competent authority.

Date.

SCHEDULE.

(Description of Government premises).

No. 13/E.—In pursuance of clause (*a*) of section 2 of the Government Premises (Eviction) Act, 1950, (XXVII of 1950), the Central Government is pleased to authorise each of the persons mentioned in Column 1 of the subjoined table to perform the functions of a competent authority under the said Act for the area specified in the corresponding entry in Column 2 of the said table.

THE TABLE.

Person	*Area*
Sub-Area Commander, Deccan (I) Sub-Area	.. Within the Military boundary of Deccan (I) Sub-Area.
Sub-Area Commander, Jubbulpore (I) Sub-Area	... Within the Military boundary of Jubbulpore (I) Sub-Area.
181 Indep. Bde. Gp. Shillong ...	... Within the Military boundary of 181 Indep. Bde. Gp, Shillong.
Sub-Area Commander, Sub-Area ...	.... Within the Military boundary of Bangalore Sub-Area.
Sub-Area Commander, Madras Sub-Area ...	... Within the Military boundary of Madras Sub-Area.
Sub-Area Commander, Poona Sub Area ...	... Within the Military boundary of Poona Sub-Area.
Sub-Area Commander Bombay Sub-Area ...	... Within the Military boundary of Bombay Sub-Area.
Area Commander, 301 Area ...	... Within the Military boundary of 301 Area.
Area Commander, 202 Area ...	... Within the Military boundary of 202 Area.
Sub-Area Commander, Meerut Sub-Area ...	... Within the Military boundary of Meerut Sub-Area.
Area Commander, 201 Area ...	... Within the Military boundary of 201 Area.
Sub-Area Commander, Lucknow, Sub-Area	... Within the Military boundary of Lucknow Sub-Area.
Sub-Area Commander, Jullunder Sub-Area	... Within the Military boundary of Jullundur Sub-Area.
Sub-Area Commander, Ambala Sub-Area.	... Within the Military boundary of Ambala Sub-Area.

H. M. PATEL, *Secy.*

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